

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

RITA WEAVER, individually and on behalf of
all others similarly situated,

Plaintiff,

v.

HARLEY-DAVIDSON MOTOR COMPANY
GROUP, LLC

Defendant.

Case No. 1:22-cv-1142

HONORABLE GLENN T. SUDDABY

MAGISTRATE JUDGE: THERESE
WILEY DANCKS

**ORDER ON
STIPULATION REGARDING
STAY OF PROCEEDINGS**

The Court, having duly considered the Stipulation Regarding Stay of Proceedings (the “Stipulation”), hereby ORDERS:

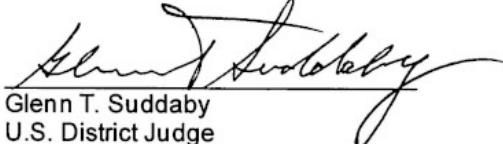
1. That all proceedings with respect to this Action shall be stayed, including the time for Defendant to answer or otherwise respond to the Complaint, until further order of this Court or, if different, the transferee court, in light of the motion to transfer for pretrial proceedings the Related Actions.

2. Following the resolution by the United States Judicial Panel on Multidistrict Litigation of the motion to transfer the Related Actions, or the withdrawal of the pending JPML Motion to transfer the Related Actions, Plaintiff and Defendant shall meet and confer in good faith to attempt to agree to a stipulated schedule for Defendant to answer or otherwise respond to the Complaint and, if appropriate, a briefing schedule with respect to any motions filed pursuant to Fed. R. Civ. P. 12.

3. If Plaintiff and Defendant are unable to agree to a stipulated schedule as set forth in the preceding paragraph, Plaintiff and Defendant shall submit a joint brief to this Court or, if different, to the transferee court regarding such schedule.

4. The Stipulation shall not constitute a waiver of (a) any jurisdictional defenses that may be available under Rule 12 of the Federal Rules of Civil Procedure, (b) any affirmative defenses under Rule 8 of the Federal Rules of Civil Procedure, or (c) any other statutory or common law defenses that may be available to Defendant in this and the other Related Actions. Defendant expressly reserves its rights to raise any such defenses (or any other defense) in response to either the current Complaint or any amended complaint that may be filed relating to this Action.

IT IS SO ORDERED.



Glenn T. Suddaby
U.S. District Judge

Dated: December 19, 2022